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**FACSIMILE SUBMISSION UNDER 37 CFR 1.8**

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TO:	FROM:
Mail Stop Amendments	Jason D. Kelly
Examiner Jeffrey Garben Hoekstra	
COMPANY:	DATE:
U.S. Patent & Trademark Office	OCTOBER 26, 2007
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
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PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
571-272-7232	1023-362US01
RE:	APPLICATION SERIAL NUMBER:
Response to Office Action dated June 27, 2007	10/825,955

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PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth T. Heruth; Confirmation No. 8230  
Keith A. Miesel  
Serial No.: 10/825,955  
Filed: April 15, 2004 Customer No.: 28863  
Examiner: Jeffrey Gerben Hoekstra  
Group Art Unit: 3736  
Docket No.: 1023-362US01  
Title: COLLECTING ACTIVITY AND SLEEP QUALITY INFORMATION VIA  
A MEDICAL DEVICE

CERTIFICATE UNDER 37 CFR 1.8 I hereby certify that this correspondence is being transmitted  
via facsimile to the United States Patent and Trademark Office on October 26, 2007.

By: Shirley A. Betlach  
Name: Shirley A. Betlach

Mail Stop Amendment  
Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached correspondence relating to this application:

- ☒ Transmittal sheet containing Certificate of Mailing
- ☒ Amendment (15 pgs.)
- ☒ No additional fee is required
- ☒ Request for Extension of Time for one month and fee of \$120.00 (1 pg.)

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Date:

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By:

Jason D. Kelly  
Name: Jason D. Kelly  
Reg. No.: 54,213

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